

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, and 5-9 are currently pending. Claims 1, 8 and 9 are independent and are hereby amended. No new matter has been introduced. Support for this amendment is provided throughout the Specification as originally filed.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 1, and 5-9 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement. The Office Action asserts, there is no support for the claim limitation “that a first candidate words have a number of phonemes equal to or above the preset number of phoneme values.” OA at page 4, par. 5.

While Applicants do not agree with the assertion in the Office Action, the claims have been amended to avoid the rejection. Claim 1 is representative and recites, *inter alia*:

“ . . . candidate first words based on the word score have a number of phonemes and syllables equal to or above the number of phonemes and syllables of the candidate second words.”

The Advisory Action of August 3, 2009 states, at page 2:

“ . . . the specification does support a maximum phoneme threshold /limit number below which a word should fall to be considered a secondary word candidate . . . but with regards to the first candidate words merely mention that they possess more stable acoustic characteristics and a generally larger number of phonemes (page 42. At best, this passage appears only to generally mention that first candidate words are larger, but does not necessarily tie the phoneme number limit of the second candidate words . . . The specification is silent as to any type of phoneme number thresholds for the first candidate words and appears only to describe that first candidate words simply have the quality of comprising a generally larger number of phonemes.”

Applicants agree the specification does support a maximum phoneme threshold limit for candidate second (not “secondary” as stated in the Advisory Action) words. Applicants’ argument is the specification also supports first candidate words that have a greater number of phonemes than the candidate second words and, as a necessary result, must have a number of phonemes greater than the threshold limit of the candidate second word.

However, Applicants have amended the claims to avoid the objection in the Office Action of May 22, 2009 and also comport with the Examiner’s arguments in the Advisory Action of August 3, 2009.

Candidate second words having a number of phonemes below a preset value is a selection criterion. As pointed out in the Office Action there is ample support for “first candidate words having a larger number of phonemes than the candidate second words.” Applicants assert there is ample support for the recited claim 1 language, “. . . candidate first words based on the word

score have a number of phonemes and syllables equal to or above the number of phonemes and syllables of the candidate second words.”

Applicants respectfully request withdrawal of the 35 U.S.C. §112 rejection of the claims.

III. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-2 and 7-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,218,668 to Higgins et al. (hereinafter merely “Higgins”) in view of Doyle (*“Progressive Word Hypothesis Reduction for Very Large Vocabulary Continuous Speech Recognition,” 1997*); and

Claims 5 and 6 were rejected under 35 U.S.C. §103 as allegedly unpatentable over Higgins and Doyle and further in view of U.S. Patent No. 5,960,447 to Holt et al. (hereinafter merely “Holt”).

Applicants respectfully traverse this rejection.

Independent claim 1 is representative and recites, *inter alia*:

“. . . selecting one or more candidate first words . . . based on a word score that represents an evaluation of acoustic scores and language scores . . . and for selecting one or more candidate second words . . . not based on the acoustic score, the candidate second words having unstable acoustic characteristic values with a number of **phonemes and syllables** less than a preset value;

wherein the selected one or more candidate first words based on the word score have a number of **phonemes and syllables** equal to or above the number of **phonemes and syllables** of the candidate second words and more stable acoustic characteristic values than the selected one or more candidate second words”

Claim 1 describes the second candidate words are words having a small number of phonemes and syllables below a preset value and unstable acoustic characteristic values are **necessarily** processed for matching. The candidate first words are words having a larger number of phonemes and syllables and hence more stable acoustic characteristic values are selected based on the word score including the acoustic score. Publ. app. par. [0102].

Thus, in the word pre-selection unit, no failure of selection of correct words occurs even when a simpler acoustic model or grammatical rules are used, as a result of which the precision in speech recognition can be improved at the same time as the resource required for processing in the word pre-selection unit is diminished.

If the words selected in the word pre-selection unit based on the word score including the acoustic score are only the words of a larger number of phonemes with relatively stable acoustic characteristic values, no failure in selection of correct words occurs even when the number of words selected based on the acoustic and language scores is diminished, as a result of which the accuracy in the speech recognition can be improved at the same time as the resource necessary for processing in a subsequent matching unit is diminished. Publ. App. pars. [0118]-[0121].

The Office Action points to Doyle for the above-recited feature of claim 1. However, claim 1 has been amended to avoid the Doyle reference. Doyle does not describe the candidate second words as having a number of phonemes and syllables below a preset number. Moreover, Doyle does not describe the candidate first words as having a number of phonemes and syllables equal to or above the candidate second words. Indeed, while Doyle discusses “boosting” “the score for the most frequent sort words . . . according to the equation; there is no discussion of a **preset** number of phonemes and syllables for all candidate second words as recited in claim 1.

Neither Higgins nor Holt add the elements missing from Doyle as discussed above.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 8 and 9 are also believed to be patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Claims 1, and 5-9 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'P. A. Levy', written over a horizontal line.

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